IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 22867 of 2004(V)

PETITIONER:

P.P.MUHAMMED,
S/O. PANIKKARUPARAMBIL ABOOTTY,
KULUKKILIYAD AMSOM, OTTAPPALAM TALUK.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS:
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1. PALAKKAD DISTRICT CO-OPERATIVE BANK LTD.
SREEKRISHNAPURAM BRANCH, PALAKKAD DISTRICT,
REPRESENTED BY ITS BRANCH MANAGER

2. SPECIAL SALE OFFICER, PALAKKAD DISTRICT
CO-OPERATIVE BANK, PALAKKAD, PIN 678 001.

3. JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, PALAKKAD.

BY ADV. SRI.M.P.ASHOK KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.22867/04

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE NOTICE DT. 22.11.2001 ISSUED BY THE BRANCH MANAGER, PALAKKAD DIST.COOPERATIVE BANK LTD.

EXT.P2 : TRUE COPY OF THE NOTICE DT. 29.1.2002 ISSUED UNDER RULE 1(D) OF THE KERALA COOPERATIVE SOCIETIES ACT BY THE SALE OFFICER, PALAKKAD DIST.COOPERATIVE BANK.

EXT.P3 : TRUE COPY OF THE NOTICE ISSUED BY THE FIRST RESPONDENT.

EXT.P4 : TRUE COPY OF THE AUCTION NOTICE ISSUED IN FORM NO.8 UNDER RULE 81(E) OF THE KERALA COOPERERATIVE SOCITIES RULES.

EXT.P5 : TRUE COPY OF THE JUDGMENT IN W.P.C.NO.17853/03 DT. 8.8.2003.

EXT.P6 TRUE COPY OF THE REPRESENTATION DT. 28.8.2003 SENT BY THE PETITIONER TO THE FIRST RESPONDENT BANK.

EXT.P7 TRUE COPY OF THE RECEIPTS DT. 8.12.2003 FOR RS.21349/- ISSUED BY THE FIRST RESPONDENT BANK.

EXT.P7A TRUE COPY OF THE RECEIPT DT. 8.12.2003 FOR RS.8,490/- ISSUED BY THE FIRST RESPONDENT BANK.

EXT.P7B TRUE COPY OF THE RECEIPTS DT. 8.12.2003 FOR RS.156/- ISSUED BY THE FIRST RESPONDENT.

EXT.P8 TRUE COPY OF THE AUCTION NOTICE DT. 19.7.2004 ISSUED BY THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS :
EXT.R1 TRUE COPY OF THE SCHEDULE OF PAY SCALE OF CISF DT. NIL.
EXT.R1A TRUEU COPY OF THE AWARD DT. 14.9.2000.
EXT.R1B TRUE COPY OF THE JUDGMENT IN O.P.NO.4063/02.
EXT.R1C TRUE COPY OF THE JUDGMENT IN O.P.NO.17853/03.
EXT.R1D TRUE COPY OF THE JUDGMENT IN IA 3553/03 IN WPC 17853/03 DT. 9.6.2003.

KURIAN JOSEPH, J.

W.P(C)No. 22867 of 2004

Dated this the 30th day of March, 2007

JUDGMENT

Petitioner claims that he is entitled to have the loan availed by him from the respondent Bank being treated as an agricultural loan. In the counter affidavit it is stated that the petitioner had in fact availed a non-agricultural medium term loan. Thus he is not entitled to have any benefit in that regard. It is also seen that the petitioner had approached this court on earlier occasions also, in O.P.No.4063/2002 and W.P(C)No.17853/2003. Be that as it may, in case the petitioner has still any dispute regarding the computation of the amount or the extension of the benefits under the settlement schemes he may appear before the first respondent within a period of one month from today for verification of the accounts. The recovery steps shall be deferred for the said period of one month.

Subject to the above and with a direction that in case there is any mistake the same shall be corrected, the writ petition is dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.